

VZCZCXRO7633

PP RUEHAG RUEHAST RUEHDA RUEHDF RUEHFL RUEHIK RUEHKW RUEHLA RUEHLN
RUEHLZ RUEHPOD RUEHROV RUEHSR RUEHVK RUEHYG
DE RUEHTL #0395/01 3151531
ZNR UUUUU ZZH
P 101531Z NOV 08
FM AMEMBASSY TALLINN
TO RUEHC/SECSTATE WASHDC PRIORITY 0922
RHMFIUU/DEPT OF HOMELAND SECURITY WASHINGTON DC
RUEAORC/US CUSTOMS AND BORDER PROTECTION WASHINGTON DC
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE
RUEHUL/AMEMBASSY SEOUL 0023
RUEHKO/AMEMBASSY TOKYO 0038
RUEHGP/AMEMBASSY SINGAPORE 0004
RUEHBD/AMEMBASSY BANDAR SERI BEGAWAN 0002
RUEHBY/AMEMBASSY CANBERRA 0019
RUEHWL/AMEMBASSY WELLINGTON 0009

UNCLAS SECTION 01 OF 04 TALLINN 000395

DEPARTMENT FOR CA/VO/F/P, CA/P, EUR/NB, EUR/PGI

DHS FOR OFFICE OF INTERNATIONAL AFFAIRS, ICE OFFICE OF INTERNATIONAL
AFFAIRS AND CBP OFFICE OF INTERNATIONAL AFFAIRS

SENSITIVE
SIPDIS

E.O. 12958: N/A

TAGS: [CVIS](#) [CMGT](#) [PREL](#) [KPAO](#) [KHLS](#) [EN](#)

SUBJECT: ESTONIAN VISA WAIVER AND ESTA OUTREACH

REF: SECSTATE 118460

11. (SBU) Summary: Embassy Tallinn has embarked on a long-term commitment to educate Estonian travelers on the intricacies of the Visa Waiver Program (VWP). The Embassy has organized a variety of outreach activities, including numerous press interviews, presentations to travel professionals and an event scheduled at the

Tallinn airport for November 17, the first date on which visa-free travel to the United States will begin for Estonian citizens. Embassy's efforts appear to be successful as the VWP discussion has

evolved from misinformation to nuanced clarity regarding the nature

of VWP and its requirements. Nevertheless, the possibility of confusion or even anger among travelers remains high, especially given shortcomings in ESTA. End Summary.

THE CANDIDACY PERIOD

12. (U) Post's initial outreach focused on the GoE, following President Bush's announcement in Tallinn in 2006 of his desire to expand the VWP program, as well as DHS Secretary Chertoff's signing

of a VWP Memorandum of Understanding in Tallinn in March, 2008. Following numerous meetings between Conoffs and counterparts in the

Ministries of Foreign Affairs and Interior, key GoE officials developed a nuanced understanding of VWP and the Electronic System for Travel Authorization (ESTA). For example, in a television interview on the subject in 2008, Estonian Foreign Minister Urmas Paet appeared to recite VWP and ESTA FAQs by heart, expertly answering a journalist's questions regarding the VWP biometric passport requirement, information required by ESTA, the reason for ESTA, ESTA travel authorization validity period, data privacy and other minute details of the program.

INTEREST IN VWP GROWS

13. (U) As Estonia's participation in VWP became realistic and imminent, Post organized a number of activities in order to get out the message on VWP and ESTA to travelers and travel professionals.

Post has sought to "piggy-back" on existing events, or requested

cooperation from the GoE to provide venues, since no funding has been made available to engage in VWP and ESTA outreach. Post also reorganized its website material to put VWP front and center, including the creation of a new interactive VWP eligibility tool, or "wizard," that will help travelers determine whether they are eligible to travel under VWP. Post-organized outreach activities to date are listed below, as requested by Reftel. Post is also seeking other outreach options, such as cooperation with Estonian Air in including VWP content in their marketing materials (e.g., website, in-flight magazine, etc.).

a. Date - 17 October 2008.
Location - Street in front of chancery.
Type of Outreach - Individual press interview.
Audience - Conoff interview with Kanal 2 News (television).

b. Date - 17 October 2008.
Location - Street in front of chancery.
Type of Outreach - Individual press interview.
Audience - Conoff interview with PBK News (television).

c. Date - 17 October 2008.
Location - Street in front of chancery.
Type of Outreach - Individual press interview.
Audience - Conoff interview with ETV Russian-language News (television).

d. Date - 17 October 2008

TALLINN 00000395 002 OF 004

Location - Embassy conference room
Type of Outreach - Press event to accompany AETN live broadcast of White House ceremony on VWP expansion.
Audience - host country government officials and press/news media
Number of attendees - 20 (including representatives of Ministry of Foreign Affairs and press). Event included a press conference involving Ambassador, DCM and Conoff, as well as individual interviews by the Ambassador with Estonian language Postimees (newspaper), Russian-language Postimees (newspaper), Russian-language Molodjzh Estonia (newspaper), Estonian Television and TV3, as well as an individual interview by Consul with Estonian Radio.

e. Date - 20 October 2008.
Location - Street in front of chancery.
Type of Outreach - Individual press interview.
Audience - Conoff interview with TVN Russian-language News.

f. Date - 23 October 2008.
Location - Ministry of Foreign Affairs Building.
Type of Outreach - VWP Presentation, with opening remarks by head of MFA Consular Department.
Audience - Travel agents.
Number of attendees - 50.

g. Date - 29 October 2008.
Location - Prime Minister's Office.
Type of Outreach - Press conference with Prime Minister of Estonia and DHS Secretary Michael Chertoff, including individual press interviews.
Audience - TV, Radio and print journalists.
Number of attendees - 20.

h. Date - 29 October 2008.
Location - Radisson SAS Hotel Tallinn.
Type of Outreach - Individual press interview by DHS Secretary Michael Chertoff.
Audience - Estonian-language Postimees newspaper.

i. Date - 4 November 2008.

Location - Tallinn Airport.
Type of Outreach - VWP Presentation.
Audience - Supervisors for Tallinn Airport check-in counter personnel.
Number of attendees - 7.

j. Date - 5 November 2008.
Location - ETV Television Studios
Type of Outreach - Individual press interview.
Audience - Conoff interview with ETV Russian-language News about VWP
(at Embassy's U.S. Presidential Elections Morning).

k. Date - 17 November 2008 (planned).
Location - Tallinn Airport.
Type of Outreach - Embassy "help desk" for travelers in airport's international check-in area.
Audience - Travelers. Also, a wide variety of Estonian television, radio and print press will be invited for interviews.

ESTA SHORTCOMINGS COMPLICATE OUTREACH

14. (SBU) Shortcomings in ESTA complicate Post's outreach efforts, creating a realistic possibility of travelers arriving at U.S. ports

of entry without proper documentation to be admitted to the U.S. under VWP. Since opening to Estonian applicants, in anticipation of

the 17 November VWP travel date, ESTA has provided a positive response to applicants who are not eligible to travel under VWP. For

example, an Embassy FSN holding a non-biometric Estonian passport received an "Authorization Approved" response from ESTA accompanied

TALLINN 00000395 003 OF 004

by the following standard language:

Your travel authorization has been approved and you are authorized to travel to the United States under the Visa Waiver Program.

15. (SBU) More distressingly, Post has learned that ESTA grants an "Authorization Approved" for stateless residents of Estonia holding

an "Alien" passport--the so-called "gray" passport issued to residents of Estonia who have no citizenship. (This would occur if

the traveler erroneously, but understandably, selects "Estonia" from

the dropdown list of participating countries when completing the on-

line ESTA application.) The GoE has publicly used VWP as a means of

encouraging stateless residents to consider naturalization as Estonian citizens. By and large, these "stateless" residents are ethnically Russian, and comprise one-tenth of Estonia's population.

Since re-independence, the GoE has had to compete with Russia for their allegiance.

16. (SBU) Because Post is concerned that erroneous ESTA approvals will mislead Estonian citizens carrying older non-biometric passports, as well as stateless residents carrying "Alien" passports, that they are eligible to travel visa free to the United States, Post has focused particular attention on training Tallinn airport check-in personnel to warn against the risk of boarding passengers who hope to travel visa free but who do not hold an Estonian biometric passport.

Post has provided information to DHS so that a future release of

ESTA

will be able to differentiate between biometric and non-biometric Estonian passports, as well as between passports issued to Estonian citizens and those issued to stateless residents of Estonia.

JUST WHO IS DENIED UNDER ESTA?

17. (SBU) Post shares the concern of its counterparts at Posts in other VWP countries that the method by which ESTA determines who is approved or denied is not transparent, making outreach efforts more difficult. In particular, Post is anxious to understand how ESTA interfaces with CLASS to determine which hits (if any) result in an ESTA denial. Post understands that CLASS hits reflecting visa ineligibilities (e.g., for serious criminal convictions) do not automatically result in an ESTA denial. In this regard, Post ran a test ESTA application for a local convicted child rapist for whom a hit appears in CLASS, and ESTA disturbingly provided a response of "Authorization Approved." Although ESTA specifically requires applicants to certify that they have no previous criminal convictions, press stories about turn-arounds at U.S. ports of entry will inevitably focus on misleading answers from ESTA or unfair U.S. border personnel, rather than the traveler's lack of truthfulness when completing the on-line ESTA application.

18. Post is also concerned about how to properly communicate the effect of ESTA/VWP on the existing visa process. Post understands that a traveler who has previously been denied under 214(b), whether years ago or very recently, will be able to get an ESTA approval. Post is unsure whether previous 214(b) refusals will cause

TALLINN 00000395 004 OF 004

additional scrutiny, or even a turn-around, at ports of entry for such travelers. Post would welcome guidance on what to tell visa applicants who are refused under section 214(b) regarding their ability to travel visa free under VWP.

CONCLUSION

19. While too early to determine the overall effect of Post's outreach program, Embassy Tallinn has thus far been pleased with the GoE's and the media's ability to internalize and disseminate the information we are providing them. Post will continue its outreach efforts using print and television media, the Internet, the Embassy's Regional Outreach Program and through training seminars for airline and travel industry personnel. Post is anxious to obtain more guidance from the Department and DHS on ESTA, in order to ensure a clear and correct outreach message that supports both visa-free travel under VWP as well as the existing visa application system.

DECKER